

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent application of Don Post, et al.	:	Group Art Unit: Not Yet Assigned
Serial No.:	Not Yet Assigned	:	Examiner: NYA
Filed:	Herewith	:	Attorney Docket No.:
For:	MASK WITH PATTERNED LIGHTING	:	M9445-421 (189228)

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.56 and in accordance with 37 C.F.R. §§ 1.97-1.98, the Applicants attach hereto a completed PTO Form 1449 (modified). This Information Disclosure Statement is being submitted concurrently with the filing of the above-referenced application.

Authorization is provided to charge any fee due in connection with this submission, or credit any over-payment, to Deposit Account No. 50-0573.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10	
EXPRESS MAIL Mailing Label Number:	<u>EL 947462645 US</u>
Date of Deposit:	<u>9/30/03</u>
I hereby certify that this correspondence, along with any paper referred to as being attached or enclosed, and/or fee, is being deposited with the United States Postal Service, "EXPRESS MAIL-POST OFFICE TO ADDRESSEE" service under 37 CFR 1.10, on the date indicated above, and addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>Jennifer R. Hanna</u> Signature of person mailing page:	
<u>Jennifer R. Hanna</u> Type or print name of person	

The following U.S. Patent references may be considered relevant to the subject matter of the present application.

Des. 414,517	4,498,199	5,713,077
885,802	4,683,588	5,970,522
2,000,242	4,690,653	6,035,447
2,724,769	4,987,615	6,093,475
3,074,205	5,177,812	6,163,887
4,282,680	5,323,492	6,244,725
4,397,701	5,465,427	6,374,424
4,400,591	5,546,604	6,397,395

Also enclosed is a copy of European Patent No. EP 0 123 413.

It is requested that the Examiner also make of record the following:

In 1996 Party Professionals did a series of masks in latex called "ACTION MASKS". Three of the masks in this line were double molded in latex. The masks appeared in the 1996 Party Professional catalog under catalog numbers 90281, 90282 and 90283.

In 1997 the Don Post catalog features two masks, the 80550 Moon Dog and 80551.

In 1976 Don Post Studio Inc. made a vacuum formed "top of the head" (separately molded plastic) revealing an exposed brain. The mask was called Frankenstein 2001. That same year a mask called "The Fly" and another Death Cyborg were manufactured using vacuum formed plastic with see through eyes being separately molded.

The Darth Vader mask produced by Don Post Studios Inc. and Party Professionals from 1977 to 2001 included double molded plastic, with the helmet and faceplate overlapping. These two parts were separately molded. Also, the Stormtrooper mask included some separately molded plastic portions. The Stormtrooper mask first appeared in 1977 with vacuum formed eye inserts, which were later replaced with injection molded plastic. The Darth Vader mask also included injection molded eyes.


A copy of each reference that is not a U.S. patent or U.S. published application is submitted herewith. Copies of the U.S. patents and published applications need not be submitted pursuant to 1276 OG 55 (August 5, 2003).

It is requested that the Examiner review the references listed on the accompanying Form 1449, and make them of record in the present application as required by M.P.E.P. § 609. It is further requested that the Examiner initial the enclosed duplicate substitute Form 1449, and return one copy to the Applicants' undersigned representative with the next communication.

Respectfully submitted,

DON POST, et al.

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Attorney for Applicants

SUBSTITUTE FORM PTO-1449 INFORMATION DISCLOSURE CITATION	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. M9445-421 (189228)	SERIAL NO. NYA
	APPLICANT: Don Post, et al.		
	FILING DATE Herewith		GROUP NYA

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	AA	D414,517	9/28/99	Norris	D21	190	
	AB	885,802	4/28/08	Sterrick			
	AC	2,000,242	10/3/33	Manning	2	173	
	AD	2,724,769	11/22/55	D'Arbeloff	240	59	
	AE	3,074,205	3/26/59	Carter	46	228	
	AF	4,282,680	8/11/81	Zaruba	46	227	
	AG	4,397,701	8/9/83	Johnson et al.	156	62	
	AH	4,400,591	8/23/83	Jennings et al.	179	156	
	AI	4,498,199	2/12/85	Margolis	2	69	
	AJ	4,683,588	7/28/87	Goldberg	381	61	
	AK	4,690,653	9/1/87	Goldberg	446	27	
	AL	4,987,615	1/29/91	Massey	2	206	
	AM	5,177,812	1/12/93	DeMars	2	199	
	AN	5,323,492	6/28/94	DeMars	2	209.13	
	AO	5,465,427	11/14/95	Shields	2	206	
	AP	5,546,604	8/20/96	Geller	2	202	
	AQ	5,713,077	2/3/98	Humbrecht	2	173	
	AR	5,970,522	10/26/99	Apichom	2	206	
	AS	6,035,447	3/14/00	Hsia	2	206	
	AT	6,093,475	7/25/00	Geller	428	166	
	AU	6,163,887	12/26/00	Rogers et al.	2	173	
	AV	6,244,725	6/12/01	Gary et al.	362	234	
	AW	6,374,424	4/23/02	Tredup	2	427	
	AX	6,397,395	6/4/02	DeHart	2	206	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AY	EP 0 123 413	10/31/84	Europe	A63H	33/00		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

SUBSTITUTE FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE CITATION	ATTY. DOCKET NO. M9445-421 (189228)	SERIAL NO. NYA
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	BA	In 1996 Party Professionals catalog; catalog numbers 90281, 90282 and 90283.
	BB	In 1997 the Don Post catalog; 80550 Moon Dog and 80551.
	BC	The Darth Vader mask produced by Don Post Studios Inc. and Party Professionals from 1977 to 2001. The Stormtrooper mask as first produced in 1977.
EXAMINER		DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		